

**Subcommittee on Africa, Global Human Rights and International Operations  
Prepared Statement of Rep. Christopher H. Smith, Chairman**

**Monitoring Respect for Human Rights Around the World:  
A Review of the Country Reports on Human Rights Practices for 2005**

**March 16, 2006**

I am pleased to convene this hearing of the Subcommittee on Africa, Global Human Rights and International Operations. The Subcommittee today is reviewing the State Department's 2005 Country Reports on Human Rights Practices, and in doing so, it is also examining the state of respect for human rights around the world.

Perhaps it would be useful to begin by reminding ourselves of some of the basic principles of human rights. Most importantly, human rights are not a concession or benefit conferred by the state. They are the entitlement of every human person on the basis of that person's inherent dignity and worth. Thus the Universal Declaration for Human Rights and subsequent international human rights treaties did not *establish* human rights – they *recognized* those rights. Therefore, human rights cannot be abrogated or otherwise removed by any government. They are entitlements pre-existing and superseding the prerogatives of the government, and as such are either respected or violated.

Certain human rights are fundamental, and are the basis for the recognition and enjoyment of all other human rights. Foremost of these rights is the right to life. If a human being is denied or threatened with the denial of life, the existence of other rights is meaningless. And attempts to exclude any category of human beings from the inviolable right to life at the whim of expediency or the more powerful undermines and threatens the respect of life for all peoples. A determination to take the life of one human being easily translates into taking the life of another, limited only by the relative power of the aggressor and the vulnerability of the one whose life is threatened. It is for these reasons that the life of every human being, from conception to natural death, is of such critical, overriding importance.

As affirmed by the Universal Declaration for Human Rights, liberty, justice and peace in the world are built on the foundation of the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family. Human rights are central to United States foreign policy not only because they are a moral imperative but also because they are central to any effort to establish and maintain a democratic, peaceful, stable society. Those who ignore or repudiate human rights are sowing the seeds of instability, rebellion and violence.

It is therefore disturbing that human rights concerns are often subordinated to other concerns, such as trade, cooperation on terrorism, immigration control, or selling military equipment, in the name of maintaining relations with countries of high importance to U.S. strategic goals. This misses the point. The most important U.S. interest is the promotion of freedom and democracy and long-term stability. We are strong enough, and we are prosperous enough that we have no need to accept blood money or to send refugees back to persecution or to seek our alliances among regimes that murder and torture their own people.

The Country Reports are among the most important tasks undertaken by the Department of State. These Reports allow the United States an opportunity to bear witness, to reassert fundamental principles, and also to examine its own conscience about whether its foreign policy comports with these principles. Other annual reports, such as the Trafficking in Persons report and the report on International Religious Freedom, also shine the spotlight on specific human rights areas which bear closer examination.

Although the human rights mechanism of the United Nations is not directly germane to the release of the Country Reports, the importance of the adoption yesterday by the General Assembly of the resolution establishing the new Human Rights Council is of such importance that it must be included in the discussions of this hearing. I personally am deeply disappointed and dismayed that the United Nations adopted such a weak and deeply flawed replacement for the discredited Human Rights Commission.

Furthermore, the new Council's anticipated promotion of the goals and commitments "emanating" from UN conferences and summits, measures not intended by negotiating Member States to be on a par with human rights treaties, will dilute and trivialize the solemn importance rightly attributed to fundamental human rights. Many of us in Congress will be watching the development of the new Council closely, and we strongly encourage the Administration to work assiduously to not only ensure that this new Council promotes and defends human rights but also that it does not distort the established and accepted framework of fundamental human rights.

The 2005 Country Reports document several important steps forward taken by governments around the world to respect and protect the fundamental human rights of their citizens. Burundi concluded a four-year transitional process and large numbers of displaced persons were encouraged to return home. The election of President Ellen Johnson Sirleaf in Liberia marked "a significant milestone" in that country's efforts to achieve democracy and peace. Afghanistan experienced its first parliamentary elections in almost 30 years, with women enthusiastically participating. And in Ukraine, the Orange Revolution resulted in a democratically-elected government and a notable improvement in respect for human rights.

Unfortunately, the news is not all good. The Country Reports also serve to confirm and document what we knew already, that the last year has not been a good one for the state of human rights in the world. The Zimbabwean government's Operation Restore Order led to the demolition of houses and businesses and displaced or destroyed the livelihoods of more than 700,000 people. The government of Belarus President Lukashenko detained, fined, and imprisoned pro-democracy activists, including opposition politicians, students and newspaper editors, for criticizing him and his regime. And the people of Nepal continued to suffer many serious human rights abuses, both during and after the February – April state of emergency that suspended all fundamental rights except for habeas corpus – and even habeas corpus orders issued by the court were not respected.

The totalitarian governments of China, North Korea, Vietnam and Cuba all continued their persecution of political and religious dissidents. The Chinese government and security forces, in particular, are cited by the 2005 Reports as having increased their harassment, detention and imprisonment of those perceived to be a threat to government authority. The government considers the number of death sentences to be a state secret, but foreign experts estimated that between 5,000 and 10,000 persons are executed each year. There were claims that 20 public protesters were killed last year during one demonstration, and the state-run media reported that in general 460 persons were killed through abuse or dereliction of duty. The UN Special Rapporteur on Torture Manfred Nowak reported after his November visit that torture in China remains widespread.

One of the most egregious human rights abuses that is receiving grossly insufficient global attention is the one-child per family policy enforced in China since 1979. The policy says that if a woman happens to become pregnant with a second child, despite the government's best efforts to assure that this does not happen, then the parent must pay a heavy penalty or unborn child must be aborted. Heavy fines are imposed upon couples who have an "unapproved" child. These so-called "social compensation fees" can be up to ten times a person's annual salary, compelling them to abort the baby.

The Chinese government goes to appalling lengths to enforce its one-child limit, abusing the rights of Chinese women in particular to a degree that is unique in both kind and degree. For example, Government Family Planning Bureaus conduct periodic pregnancy tests on married women, and give them unspecified "follow-up" services. Fines for failing to undergo these tests can be as high as \$60 US. It should therefore not be surprising that approximately 500 women in China commit suicide each day – more than five times the global rate. Possible reasons given for this tragic statistic include that country's birth limitation policies and the traditional preference for male children.

Officials who help individuals to evade the birth limitations are legally subject to significant and detailed sanctions. On the other hand, those who meet the population

goals established by their administrative region are rewarded. Thus, it is no wonder that local officials violated individual's rights in attempting to reduce the number of births in their region. The 2005 Reports state that in just one province, 130,000 people were detained to force them or their relatives to submit to abortion or sterilization procedures. Several late-term abortions were documented, and at least 7,000 people were forcibly sterilized. Local officials profited personally from the fees charged for attendance at the "population schools." One legal activist was placed under house arrest for exposing these abuses. Other instances of forced sterilizations and abortions, committed in pursuance of these harsh birth limitation policies, were again documented.

The combined effect of the birth limitation policies and the traditional preference for male children resulted in the disproportionate abortion of female fetuses at a rate of 116.9 to 100 overall, and a shocking 151.9 to 100 for second pregnancies. As a direct result of these ongoing crimes against humanity, China today is missing millions of girls, girls who were murdered in the womb simply because they are girls. A couple of years ago, the State Department suggested that as many as 100 million girls of all ages are missing – that is to say, they should be alive and well and are not, a direct consequence of the government's one-child policy. This gendercide constitutes one of humanity's worst blights, and a far greater peril to peace and security than is being credited at this time.

Elsewhere in the world, dictatorships in Belarus and Burma were unsurprisingly similar in their oppressive methods of control to maintain power. Security forces in both countries arbitrarily arrested and detained citizens for political reasons. Police abuse and torture of prisoners continued in Belarus, and in Burma, abuses also included rape, beatings, forcible relocation of populations, and conscription of child soldiers.

In Africa, a continent this Subcommittee is particularly concerned with, human rights abuses continued to be widespread throughout the continent. In Ethiopia, the refusal of the opposition parties to accept the announced results of the May elections resulted in serious human rights abuses. Authorities arbitrarily detained, beat and killed opposition members and freedom of the press and freedom of assembly were severely

curtailed. In addition to the forced displacement mentioned earlier, Zimbabwe once again went through the charade of elections that in fact were marked by fraud and the improper participation of security forces in the tabulation of ballots, irregularities in voter registration, and continued restrictions on speech, press and assembly.

The world is all too aware of the continuing tragic situation in Sudan. According to the World Health Organization, the conflict in Darfur has resulted in the deaths of at least 70,000 civilians, the internal-displacement of more than 1.9 million civilians, and the flight of an estimated 210,000 refugees to neighboring Chad. When confronted with such numbers, one must also take into account the attending human rights violations, including the abuse of children, extensive trafficking in persons, and the acts of torture and violence against women.

The human rights record of Iran also worsened this past year, with numerous troubling violations reported. The government executed many political dissidents following trials that lacked due process. Dissent was criminalized and the death penalty applied to such offenses as apostasy, “attempts against the security of the State, outrage against high-ranking officials and insults against the memory of Imam Khomeini and against the Supreme Leader of the Islamic Republic.” A report released during the past year stated that at least 8 evangelical Christians have been killed in Iran and another 15 to 23 reported missing or “disappeared” over the past 15 years.

Also alarming were the reports of serious human rights violations by governments with which the United States enjoys a close relationship. The 2005 Reports give no indication that Saudi Arabia is correcting its traditional disregard for religious freedom. Officially sanctioned discrimination against the Shi’a Muslim minority continued, and Christians still faced arrest and detention for practicing their faith, even in the privacy of their own homes. One newspaper reported that 40 Pakistani citizens, including one Muslim, were arrested after holding Christian services in an apartment. Other human rights abuses took place in Saudi Arabia as well, including abuse of prisoners by security forces, arbitrary arrests, and legal and societal discrimination against women.

Finally, I continue to be deeply troubled by the lack of respect for human rights and religious freedom in Vietnam. Vietnam is a one-party state run by the Communists which oppressively controls the ordinary lives of its citizens, rigidly represses political rights, and denies its people the exercise of their religious freedom. The country report on Vietnam documents that the government subjected religious leaders to administrative detention, “pagoda arrest,” and varying degrees of informal detention in their residences. Citizens who tried to exercise their rights to practice their religion, assembly, or expression also were detained at times for several days by security forces. Such conduct should not be ignored when a country is seeking stronger economic relations with the United States.

In conclusion, the biggest challenge with the Country Reports is not the reporting itself, but the uses to which this human rights reporting will be put to achieve universal respect for human rights and thus greater peace and stability in our world. Human Rights can not be the work of one political officer in the Embassy who prepares the annual report once a year and then turns to other tasks. Rather, it must be the foundation on which our bilateral relationships are based.

Secretary Lowenkron, I want to commend you and your colleagues for your exhaustive work on the 2005 Country Reports. As I stated earlier, this is one of the most important services the Department performs. The cornerstone of U.S. foreign policy must be the promotion of American values, which include the protection and advancement of fundamental human rights of people around the world. The moral character and depth of soul of any society will be measured not by its military might, technological prowess, athletic excellence or GDP, but by the respect it accords to the inherent dignity and worth of every person who lives within its borders.